

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Daniel J. Rynne

v.

Civil No. 08-cv-00283-JL

NH State Prison, Warden

PROCEDURAL ORDER

While not technically establishing the right to reconsideration of the court's order for an evidentiary hearing, the motion for reconsideration's recitation of the record (including the family court and parole hearings) does persuasively advance an argument that such an evidentiary hearing is unnecessary, and that no recantation occurred. Further, the court respectfully notes that it has great difficulty following the arguments advanced in the objection.

The clerk shall schedule further oral argument, either in court or through a telephone conference with a record (Attorney McLetchie's choice), at which the petitioner shall either dispute the state of the record as set forth in the motion for reconsideration, or demonstrate why the record establishes a recantation by the victim.

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: November 19, 2010

cc: Erland C.L. McLetchie, Esq.
Elizabeth C. Woodcock, Esq.